FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1362 OF 2004

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Ms. M.M.Mhatre, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 09/1/2006.

P.C.

1. This is an appeal filed by the State against the judgment and order dated 31.7.2004 passed by the 1st Adhoc Add. Sessions Judge, Solapur acquitting the accused Riyaz Ibrahim Patel for an offence punishable under Section 3(i)(X) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)Act 1989. On perusal of the impugned judgment and order it is clear that cogent and acceptable reasons are given for acquittal of the accused. The incident in question took place on 5.12.2003 at 8.30a.m. The Investigation Officer has admitted that

the accused first lodged a complaint against the complainant P.W.No.1 Chandrakant stating that he was attempting to extort money. The F.I.R. is lodged by the complainant thereafter on 6.1.2003 at 00.15 hours. The relations between the parties were strained. The evidence is found to be interested. There is no independent evidence. There is also discrepancy as to as to whether the slap was given and in this regard there is an improvement in the evidence of P.W.No.1 Chandrakant. In my view, this is not a fit case for interference. Hence, leave refused. Consequently the appeal stands dismissed.

(R. S. MOHITE, J.)